

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

THE HIPSAVER COMPANY, INC.,

Plaintiff,

V.

J.T. POSEY COMPANY,

Defendant.

Civil Action No. 05-10917 PBS

**ASSENTED-TO MOTION OF DEFENDANT J.T. POSEY COMPANY FOR ONE-DAY  
EXTENSION OF DEADLINE TO FILE JOINT PRETRIAL MEMORANDUM  
AND TO SERVE FED. R. CIV. P. 26(A)(3) DISCLOSURES**

Defendant J.T. Posey Company (“J.T. Posey”) respectfully moves for a one-day extension of the deadline to file the Joint Pretrial Memorandum, and to serve its Fed. R. Civ. P. 26(a)(3) disclosures, from April 30, 2007 to May 1, 2007. The ground for this motion is that lead counsel for J.T. Posey, from the law firm of Sheldon Mak Rose & Anderson PC, do not have access to their office computer network and telephone system today, due to unexpected delays arising from the relocation of their offices over this past weekend. Counsel for the plaintiff have assented to this motion.

This request will not result in the delay of any other deadlines or events set in the Court's Pretrial Order in this case, including the final pretrial conference scheduled for May 29, 2007.

WHEREFORE, Defendant J.T. Posey respectfully moves for a one-day extension of the deadline to file the Joint Pretrial Memorandum, and to serve its Fed. R. Civ. P. 26(a)(3) disclosures, from April 30, 2007 to May 1, 2007.

Respectfully submitted,

J.T. POSEY COMPANY,

By its attorneys,

/s/ Anthony J. Fitzpatrick

Anthony J. Fitzpatrick (BBO # 564324)

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April 30, 2007

ASSENTED TO:

/s/ Edward J. Dailey

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**CERTIFICATION UNDER L.R. 7.1(A)(2)**

The undersigned counsel for the defendant J.T. Posey Company (“J.T. Posey”) hereby certifies that counsel for Posey has conferred with plaintiff’s counsel, who have assented to the foregoing motion.

/s/ Anthony J. Fitzpatrick  
Anthony J. Fitzpatrick

**CERTIFICATE OF SERVICE**

I hereby certify that this document, filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of electronic filing and paper copies will be sent to those indicated as non-registered participants on April 30, 2007.

/s/ Anthony J. Fitzpatrick  
Anthony J. Fitzpatrick

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